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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PACIFIC ENERGY & MINING COMPANY,
a Nevada Corporation,

Plaintiff,

vs.

MAXIMILIAN RESOURCES LLC,
a Delaware Limited Liability Company,

Defendant.

Case No.: 3:17-cv-00363-HDM-CBC

**ORDER GRANTING STIPULATION
FOR EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO THE
MOTION FOR SUMMARY
JUDGMENT [DOC. 61]
(FIFTH REQUEST)**

AND

**ORDER GRANTING STIPULATION
FOR EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO THE
MOTION TO DISMISS COUNTER
CLAIMS [DOC. 69]
(FOURTH REQUEST)**

WHEREAS, Plaintiff Pacific Energy and Mining Company (“**Pacific**”) commenced this

1 action against Defendant Maximilian Resources, LLC (“**Maximilian**,” and together with Pacific,
2 the “**Parties**”) by filing a Complaint for Declaratory Judgment (“**Plaintiff’s Complaint**”) on
3 June 9, 2017;

4 **WHEREAS**, on June 6, 2018, Pacific filed a motion requesting that this Court issue
5 summary judgment in its favor (the “**Summary Judgment Motion**”);

6 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so
7 ordered by this Court, Maximilian’s current deadline to oppose the Summary Judgment Motion
8 is January 4, 2019 (the “**SJ Objection Deadline**”);

9 **WHEREAS**, on July 2, 2018, Maximilian filed an answer to Plaintiff’s Complaint and
10 asserted certain counter-claims against Pacific;

11 **WHEREAS**, on July 17, 2018, Pacific filed a motion to dismiss Maximilian’s counter-
12 complaint (the “**Motion to Dismiss**”);

13 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so
14 ordered by this Court, Maximilian’s current deadline to oppose the Motion to Dismiss is
15 January 4, 2019 (the “**Motion to Dismiss Objection Deadline**”);

16 **WHEREAS**, the Parties are engaged in settlement discussions regarding the issue raised
17 herein and numerous other issues involving multiple parties located in multiple jurisdictions;

18 **WHEREAS**, while the Parties continue to earnestly pursue settlement discussions, they
19 wish to (i) avoid the cost and expense of litigating the Summary Judgement Motion and the
20 Motion to Dismiss and (ii) preserve this Court’s resources given the progress in
21 negotiations wherein the Parties believe they have agreed upon certain of the material elements of a
22 global settlement;

23 **WHEREAS**, the Parties agree that adjourning the SJ Objection Deadline and the Motion
24 to Dismiss Objection Deadline is in their best interests and further the goal of judicial economy;

25 **NOW THEREFORE**, in consideration of the foregoing, of the mutual promises and
26 covenants herein, and other considerations, the reasonableness of which is hereby acknowledged,
27 the Parties hereto agree as follows:
28

1 1. The Parties hereby agree that the Objection Deadline to the Summary Judgement Motion
2 is extended through and including February 8, 2019.

3 2. The Parties hereby agree that the Objection Deadline to the Motion to Dismiss is
4 extended through and including February 8, 2019.

7 DATED this 12th day of December, 2018.

DATED this 12th day of December, 2018.

8 LEVERTY & ASSOCIATES LAW CHTD.

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

9 /s/ Patrick Leverty

/s/ Samuel A. Schwartz

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Attorneys for Defendant
Maximilian Resources, LLC

19 **IT IS SO ORDERED.**



21 _____
22 SENIOR U.S. DISTRICT JUDGE

23 DATED: December 13, 2018
24 _____
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